

## **REMARKS**

### **Amendments**

#### ***Amendments to the Claims***

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. In particular, Applicant claims identifying a presumed user corresponding to an implied owner associated with a consumer device that is coupled to a home network. In addition, Applicant claims provisioning a user service available in the home network according to user preferences associated with the presumed user and configuring a shared home network access device based on the user preferences. No new matter has been added as a result of these amendments.

### **Rejections**

#### ***Rejections under 35 U.S.C. § 103(a)***

##### **Claims 1-5 and 10-14**

Claims 1-5 and 10-14 stand rejected under 35 U.S.C. § 103(a) as being obvious over Norris, U.S. Patent No. 5,557,748 in view of Ricart, et al., U.S. Patent Publication No. 2002/0165906. Applicant respectfully submits that this combination does not teach or suggest each and every limitation of Applicant's claim 1-5 and 10-14.

Norris discloses configuring a computer attached to a network based on an analysis of the network traffic and parameters associated with known users on the network.

Ricart discloses personalizing a new computer based on stored personalization information of an old computer.

Independent claims 1 and 10, as amended, recite configuring a shared home network access device according to user preferences associated with a presumed user of a consumer device coupled to a home network. In contrast, both Norris and Ricart disclose configuring a computer on user characteristics, but do not teach or suggest configuring a shared home network access device as claimed. Therefore, Norris and Ricart cannot be cannot render obvious claims 1 and 10 and claims 2-5 and 11-14 that depend from them.

Applicant respectfully requests the withdrawal of the rejection of these claims under 35 U.S.C. § 103(a).

**Claims 19, 20, 23-26 and 29-32**

Claims 19, 20, 23-26 and 29-32 stand rejected under 35 U.S.C. § 103(a) as being obvious over Dharmadhikari, U.S. Patent Publication No. US 2003/0065816 in view of Ricart. Applicant respectfully submits that this combination does not teach or suggest each and every limitation of Applicant's claims 19, 20, 23-26 and 29-32.

Dharmadhikari discloses modifying a routing table based on a selected network interface of a local computer. A policy manager selects the network interface by matching the characteristics of the network interface with a set of user preferences.

Independent claims 19 and 25, as amended, recite configuring a shared network access device according to user preferences associated with a presumed user of a consumer device coupled to a home network. In contrast, Dharmadhikari only receives the user preferences to configure a local computer and does not teach or suggest configuring a shared home network access device as claimed. And, as discussed above, Ricart does not teach or suggest configuring a shared home network access device, as claimed. Therefore, the combination of Dharmadhikari and Ricart cannot render obvious Applicant's independent claims 19 and 25 and claims 20, 23, 24, 26 and 29-32 that depend from them. Applicant respectfully requests the withdrawal of the rejection of these claims under 35 U.S.C. § 103(a).

**Claims 6 and 15**

Claims 6 and 15 stand rejected under 35 U.S.C. § 103(a) as being obvious over Norris, Dharmadhikari, and Ricart. Applicant respectfully submits that this combination does not teach or suggest each and every limitation of Applicant's claims 6 and 15.

Claims 6 and 15 depend from independent claims 1 and 10, respectively. Independent claims 1 and 10, as amended, recite configuring a shared home network access device according to user preferences associated with a presumed user of a consumer device coupled to a home network. But as discussed above, neither Norris, Dharmadhikari nor Ricart teach or suggest this element as claimed, and therefore the combination of these

three references cannot render obvious Applicant's claims 1 and 10 and claims 6 and 15 that depend from them. Applicant respectfully requests the withdrawal of the rejection of these claims under 35 U.S.C. § 103(a).

#### **Claims 7, 8, 16, and 17**

Claims 7, 8, 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being obvious over Norris in view of Ricart and Reed, U.S. Patent No. 6,754,504. Applicant respectfully submits that this combination does not teach or suggest each and every limitation of Applicant's claims 7, 8, 16, and 17.

Reed discloses controlling a user's environmental condition within a predefined area based on the user's preference.

Claims 7, 8, 16, and 17 depend from independent claims 1 and 10. Independent claims 1 and 10, as amended, recite configuring a shared home network access device according to user preferences associated with a presumed user of a consumer device coupled to a home network. But Reed does not teach or suggest a shared home network access device, and so Reed cannot be properly interpreted as disclosing the claimed element missing from Norris and Ricart. Therefore, the combination of these three references cannot render obvious Applicant's claims 1 and 10 and claims 7, 8, 16, and 17 that depend from them. Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a).

#### **Claims 9 and 18**

Claims 9 and 18 stand rejected under 35 U.S.C. § 103(a) as being obvious over Norris, Ricart, and Reed. Applicant respectfully submits that this combination does not teach or suggest each and every limitation of Applicant's claims 9 and 18. Claims 9 and 18 depend from independent claims 1 and 10. Independent claims 1 and 10, as amended, recite configuring a shared home network access device according to user preferences associated with a presumed user of a consumer device. However, as discussed above, neither Norris, Ricart, nor Reed teach or suggest this claimed element. Therefore, the combination of these three references cannot render obvious Applicant's claims 1 and 10

and claims 9 and 18 that depend from them. Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a).

#### **Claims 21 and 27**

Claims 21 and 27 stand rejected under 35 U.S.C. § 103(a) as being obvious over Dharmadhikari, Norris, and Ricart. Applicant respectfully submits that this combination does not teach or suggest each and every limitation of Applicant's claims 21 and 27. Claims 21 and 27 depend from independent claims 19 and 25. Independent claims 19 and 25, as amended, recite configuring a shared home network access device according to user preferences associated with a presumed user of a consumer device coupled to a home network. However, as discussed above, neither Dharmadhikari, Norris, nor Ricart teach or suggest this claimed element. Therefore, the combination of these three references cannot render obvious Applicant's claims 19 and 25 and claims 21 and 27 that depend from them. Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a).

#### **Claims 22 and 28**

Claims 22 and 28 stand rejected under 35 U.S.C. § 103(a) as being obvious over Dharmadhikari, Ricart, and Bunney, US Patent No. 6,487,584. Applicant respectfully submits that this combination does not teach or suggest each and every limitation of Applicant's claims 22 and 28.

Bunney discloses associating multiple terminal addresses with a user to allow the user access a common home page from multiple user terminals.

Claims 22 and 28 depend from independent claims 19 and 25. Independent claims 19 and 25, as amended, recite configuring a shared home network access device according to user preferences associated with a presumed user of a consumer device coupled to a home network. But Bunney only discloses associating multiple terminal addresses with a user, and therefore Bunney cannot teach or suggest configuring a shared home network access device, as claimed. As discussed above, neither Dharmadhikari nor Ricart teach or suggest this claimed element. Therefore, the combination cannot render obvious Applicant's claims 19 and 25 and claims 22 and 28 that depend from them.

Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a)

### **SUMMARY**

Claims 1-32 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x258.


### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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